

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-090142

10/02/2015

JUDGE PRO TEM JUSTIN BERESKY

CLERK OF THE COURT

C. Clark

Deputy

IN RE THE MATTER OF  
LY SAUER

STEVEN GLEN CLARK

AND

MICHAEL SAUER

STEVEN M ELLSWORTH

FAMILY SUPPORT SERVICES-CCC

**MINUTE ENTRY**

Prior to the commencement of today's proceedings, Petitioner's exhibits 1 through 23 and Respondent's exhibits 24 through 42 are marked for identification.

Courtroom SEA 402

9:20 a.m. This is the time set for Evidentiary Hearing regarding Mother's *Petition to Relocate* filed April 1, 2015 and Father's *Response to Petition to Relocate and Counter-Petition for Order to Appear Re: Modification of Parenting Time and Child Support* filed April 30, 2015. Counsel, Steven Clark, is present on behalf of Petitioner/Mother, Ly Vessels (Sauer), who is present. Counsel, Steven Ellsworth, is present on behalf of Respondent/Father, Michael Sauer, who is present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

**LET THE RECORD REFLECT** that prior to the hearing, the Court met informally with counsel in chambers.

Ly Vessels (Sauer) and Michael Sauer are sworn.

Mother orally withdraws her *Petition to Relocate*.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-090142

10/02/2015

Discussion is held.

9:25 a.m. The Court stands at recess.

10:06 a.m. The Court reconvenes with all respective parties and counsel present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Respondent's exhibit 30 is received in evidence.

**RULE 69 AGREEMENT**

The Court is advised that the parties have reached partial agreement on the issues, which agreement is more fully set forth on the record and can be generally summarized as follows:

- Father's proposed Joint Legal Decision-Making and Parenting Time Plan (Exhibit 30)

The parties both testify that they have heard and understood the agreement as orally stated in open court, and that this is, in fact, their agreement.

**THE COURT FINDS** that the agreement entered into between the parties is not unfair, and is reasonable, and is in the best interests of the parties' minor children.

**IT IS ORDERED** approving the agreement of the parties as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*.

**FILED:** Joint Legal Decision-Making and Parenting Time Plan

**CHILD SUPPORT**

The Court prepares a Child Support Worksheet which incorporates the Court's findings and is filed with the Clerk of the Court herein.

**IT IS ORDERED** that Mother shall pay to Father as and for child support the sum of \$1,303.01 per month, payable through the Support Payment Clearinghouse by Income Withholding Order, effective May 1, 2015.

**IT IS FURTHER ORDERED** that at any time an *Income Withholding Order* is not paying the child support obligation in full, Mother shall make full and timely payments directly

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-090142

10/02/2015

to the Support Payment Clearinghouse in accordance with the instructions for making support payments through the Clearinghouse attached hereto.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's office, in writing, within ten (10) days of the change [A.R.S. § 25-322(C)]. Failure to notify the Clerk's office of any change may be considered contempt of Court.

All obligations for child support for each child shall terminate upon a finding of this Court that the child has attained the age of 18 years, or is otherwise emancipated. If any child attains the age of 18 years while attending high school, support shall continue to be provided during the period in which that child is actually attending high school but only until the child reaches 19 years of age. Support for special needs children may continue past the age of 18 based on a finding of this Court. Provisions for health insurance and non-insured health expenses for the children, as provided for below, shall be deemed to be additional child support and shall be enforceable as such.

Pursuant to A.R.S. §25-503.I, the right of a parent, guardian or custodian to receive child support payments as provided in this Order vests as each installment falls due. Each vested child support installment is enforceable as a final judgment by operation of law.

**IT IS FURTHER ORDERED** that Mother shall provide and maintain medical insurance for the benefit of the minor children, and shall provide an insurance card and claim filing information/forms to Father. All healthcare expenses incurred for the health and protection of the minor children not covered by insurance shall be paid by the parties in proportion to their incomes as reflected on the most recent *Child Support Worksheet*, currently 63% by Mother and 37% by Father.

**IT IS FURTHER ORDERED** a parent incurring unreimbursed medical expenses must request reimbursement from the other parent within 30 days of incurring the cost. A copy of the billing statement and proof of payment must be provided. The parent from whom reimbursement is sought will have 30 days to remit payment. If a parent does not submit a request for reimbursement within 30 days, the parent waives the right to reimbursement

**IT IS FURTHER ORDERED** Mother shall be entitled to utilize the federal tax exemption applicable to *Michael* for all federal and state income tax purposes in all years and *Dominique* in 2017.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-090142

10/02/2015

**IT IS FURTHER ORDERED** Father shall be entitled to utilize the federal tax exemption applicable to *Dominique* for all federal and state income tax purposes in 2015, 2016, 2018 and 2019.

**FILED:** Child Support Worksheet.

**IT IS FURTHER ORDERED** that Mother shall complete and submit to the Court the *Current Employer Information* form attached hereto.

**IT IS FURTHER ORDERED** that the parties shall split the following expenses equally:

- Dominique's tuition (until the end of March)
- Dominique's tutoring
- Michael's local chess club and local tournaments

**IT IS FURTHER ORDERED** that the parties shall attempt to agree on a Therapeutic Interventionist. If the parties are unable to agree, the parties shall submit to the Court a list of four (4) names to be considered for such appointment. Each party shall place two (2) names on the list, without specifying who is submitting each name. The parties shall submit the list on or before October 23, 2015.

**IT IS FURTHER ORDERED** that each party shall bear their own attorney's fees and costs.

**IT IS FURTHER ORDERED** signing this Minute Entry as a formal written order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ JUDGE PRO TEM JUSTIN BERESKY

---

JUDGE PRO TEM JUSTIN BERESKY  
JUDICIAL OFFICER OF THE SUPERIOR COURT

10:54 a.m. Hearing concludes.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-090142

10/02/2015

**IT IS ORDERED** that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee.

**IT IS FURTHER ORDERED** that counsel/party or written designee take immediate possession of all exhibits referenced above.

**ISSUED:** Exhibit Release Form.

10:54 a.m. Hearing concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

STEVEN GLEN CLARK: Current Employer Information, Non IV-D Payment Instructions